

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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THOMAS ALBERI,

Plaintiff

v.

AEROJET ROCKETDYNE, INC.,

Defendant.
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Misc. Case No. 1:22-mc-90

**NOTICE OF MOTION TO QUASH SUBPOENA COMMANDING
THOMAS ALBERI TO APPEAR FOR DEPOSITION**

PLEASE TAKE NOTICE that upon this Notice of Motion, the accompanying Memorandum of Law, Declaration of Thomas Alberi, and Declaration of Katherine B. Posner and exhibits attached thereto, Thomas Alberi, by and through his undersigned counsel, will move this Court, before the assigned U.S. District Judge of the U.S. District Court for the Southern District of New York at the Thurgood Marshall U.S. Courthouse, located at 40 Foley Square, New York, NY 10007, at a date and time to be determined by the Court, for an Order pursuant to Federal Rule of Civil Procedure 45 quashing the subpoena issued from the U.S. District Court for the Eastern District of California by Aerojet Rocketdyne, Inc., which commands Thomas Alberi to appear for a deposition in this District on March 29, 2022 and provide testimony in the matter of *Aerojet Rocketdyne, Inc. v. Global Aerospace, Inc., et al.*, Case No. 2:17-cv-1515-KJM-AC (E.D. Cal.).

Dated: March 23, 2022

CONDON & FORSYTH LLP

By: /s/ Mary Dow

Mary Dow

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Attorneys for Plaintiff Thomas Alberi

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing Notice of Motion, accompanying Memorandum of Law, Declaration of Thomas Alberi, and the Declaration of Katherine B. Posner and exhibits attached thereto, were filed this 23rd day of March 2022 via the Court's CM/ECF system and served via email on counsel of record in *Aerojet Rocketdyne, Inc. v. Global Aerospace, Inc., et al.*, Case No. 2:17-cv-1515-KJM-AC (E.D. Cal.).

CONDON & FORSYTH LLP

By: /s/ Mary Dow
Mary Dow (Bar No. 4782017)